

Panaji, 20th May, 1993 (Vaishaka 30, 1915)

SERIES II No. 8

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

**NOTE:—** There are 3 Extraordinary issues to the Official Gazette, Series II No. 7 dated 13-5-93 as follows:

- 1) Extraordinary dated 17-5-93 from pages 131 to 132.
- 2) Extraordinary No. 2 dated 17-5-93 from pages 133 to 134.
- 3) Extraordinary No. 3 dated 19-5-93 from pages 135 to 136 regarding Notifications from General Administration and Coordination Dept., Transport Dept., and General Administration & Coordination Dept. respectively.

### GOVERNMENT OF GOA

#### Education Department

#### Directorate of Education

Order

No. DE/Acad. I/NEZ/PE/13/SDS/Vol. IX/1081

**Read:—** This Office Memorandum No. DE/Acad. I/NEZ/PE/13/SDS/380/B/78-79/468/Vol. IX/434, dated 21-2-1992.

Whereas this Directorate of Education has been receiving a number of complaints from the public and the teachers of Shri Durga English High School, Parsem, Pernem, for over last several years about the mismanagement of the said school and;

Whereas enquiries into the various allegations against the management of said High School were conducted by this Directorate and;

Whereas this Directorate, after going through the reports of these enquiries and documentary evidences submitted by teachers and related parties arrived at the conclusion that the said management of the said school has been continuously indulging in such acts of irregularities which are detrimental to the cause of education and;

Whereas, vide this Office Memorandum cited above and annexed to this order as Annexure-I, pointed out some of the acts of irregularities and directed the management of the said High School to show cause within ten days, from the receipt of said memorandum, as to why the provisions of Section 20(1) of Goa, Daman and Diu School Education Act, 1984 should not be invoked and as to why the management of the said school should not be taken over initially for a period of three years, and;

Whereas the said management received the said memorandum of show cause on 28-2-1992 and therefore, whereas the time limit stipulated to submit the say of the said management was upto 9-3-1992 and whereas the Manager of said School vide letter No. MCDES/91-92/166, dated 6-3-1992 requested to extend the said time limit upto 16-3-1992 and;

Whereas the said management failed to submit any cause by the expiry of the period upto 16-3-1992 and;

Whereas in the last para of the memorandum under reference it was explicitly informed to the said management that their failure to submit the cause within the stipulated period will be considered that the said management has no say in this matter and this office will take further action as proposed in the preceding para and;

Whereas the said management submitted the cause, under their reference No. MCSDES/91-92/177, dated 16-3-1992, which was received in this office only on 24-3-1992, well beyond the outer time limit set for the receipt of said submission;

However this office, without prejudice to its right to reject the said submission at the outset, on the count of failure of the said management to adhere to the outer time limit set for the said submission, examined in detail, the said reply of the said management and arrived at the conclusions as below:

1. The claim of the management that the time limit of ten days to submit the reply is insufficient is not accepted as the reply was to be based on the documents already in the possession of the said management. Nevertheless the said management filed the said reply in this office only on 24th March, 1992 by exceeding the outer time limit by 15 days and thus actually availed the time of twenty five days and hence the claim of the said management of having reserved the right to file any more reply is outrightly rejected.

2. The claim of the said management that they are unaware of the documents on which this Department has relied upon, is also rejected for the very simple reason that while submitting the parawise replies, the said management has cited the relevant documents, which they have in their own custody and which they unambiguously understand to have formed the basis of the charges of their mismanagement. The said documents are cited in this order in relevant context and copies of the same are with the management.

3. The claim of the management that they have sought the copies of the said documents at their cost is rejected as no one on behalf of the management has approached this office for cash down payment towards the cost of the copies of the documents required if any. Their offer of payment without action of personal approach for payment is none the less than a strategy to enter into prolonged correspondence to delay the matter.

4. The management which received the notice on 28-2-1992 submitted this office after about a week, their request for copies of the documents and set their own limit upto 16-3-1992 for submission of said reply, thus leaving no time for written correspondence. The management avoided to approach in person to collect the said copies against cash down payment.

5. The claim of the said management that they have never received any complaints from the public or from any of the school teachers about the mismanagement of the school is totally incorrect. This statement is again strikingly contradicting and defeated with their own admission in the said reply at para 39 on page-6 that atleast on local organisation under the title as Parsem Citizen and Guardian Action Committee has gone to the extent of filing a Writ Petition with No. 303/90 in the High Court of Judicature at Bombay, Panaji Bench and the same was disposed off by the Hon'ble Court only on the grounds of the assurance of this Department for intervention to normalise the situation.

6. All the documents were available for perusal in this office, but the management did not ask for the said perusal.

7. That apart, there are several complaints addressed to the management and to this office and the receipt of said complaints by the management is very much verifiable from their own correspondence resting with this office, on the same subject matter. There are also several complaints in this office, into which investigations were made by this office with intimation and in the presence of the said manage-

ment. The ignorance of such complaints as pleaded by the management is a notorious attempt to divert the attention from the crux of the problem. Apart from that the copies of these papers could be very well supplied to the said management if they could arrange to personally collect the same with cash down payment.

8. The claim of the management that Department of Education has never in past informed the school management about the receipt of such complaints is totally false. The management has not attempted to personally collect the said copies to substantiate their defence but had attempted to prolong the course of action by entering into correspondence. This is very much evident from their failure to file their reply in time.

9. The meaning of the mismanagement has been clearly indicated against each of the charge indicating therein the exact legal provisions contravened by each of the act of mismanagement by the said management.

10. The contents of each of the paras in the memorandum are factually correct and the said management had full knowledge of the same as is evident from their own correspondence on each of these charges, in past as well as their written replies filed in past and also in the Hon'ble High Court, Hon'ble Court of the Administrative Tribunal in a large number of litigations that were as the result of the mismanagement of said school.

11. The say of the management that the need of any enquiry against the school did not arise is totally false. The documentary evidence of enquiries conducted by this office in presence of the said management is available in this office as well as the untenable replies of the management are also on record.

12. It is not correct that the copies of the relevant documents were not supplied to the said management. The copies were not supplied for the reason that management did not arrange to collect the same against cash down payment towards the cost of the same. The said management did not do so as they were well aware of the documentary evidences of each of the charges.

13. A few of the large number of irregularities on part of the said management in course of last few years are listed in the said memorandum. These acts, which are spread over last several years clearly indicate that the said management has been continuously indulging in the activities which are detrimental to the cause of education and which are contravening the relevant provisions of Goa, Daman & Diu School Education Act 1984 and Goa, Daman & Diu School Education Rules 1986 in order to ensure smooth functioning of the institutions, with least regard to the legal control.

14. The Writ Petition No. 127/88, 118/89, 274/90 and 303/90 were disposed off not by upholding any defence of the management against the action of this Department but because of the initiative by this Department to intervene and settle the matters of the dispute without going for any serious action. However enough harm was caused by the said management to the cause of Education by their acts of irregularities which gave rise to the outburst of these disputes and it is now sufficiently displayed by the management that they have no intention to improve over the practice they have been resorting to.

15. The statements at para 31 to 46 in the reply, is a cunning make up by the management to restore to the fact that the Writ Petitions mentioned therein were disposed off by the Hon'ble Court, not by granting any prayer of the management but only for the reason that this Department had intervened and made attempts to normalise the situation, which was enough disturbed by the said management. The Departmental intervention by way of sending an Officer to the school to see that the teachers are admitted in the school. This was the sincere effort to avoid to take any serious action against the said management at that stage so that the management can be still provided some opportunity to suitably mend their ways of functioning.

16. It is totally denied that the present action of the Department is out of any political interest of the Government. The present action is entirely for the reason that the said management has not discontinued its practice of indulging in acts detrimental to cause of education, though this Department has time and again refrained from taking this action in past by giving all the opportunity to the said management to improve over their activities against the relevant legal provisions to that effect.

17. The charges incorporated in the memorandum under reference are to consistently bring out the sequence of activities in which the said management has been indulging and also to indicate that there has been no efforts on part of the said management to put a stop to it. None of these charges are ever proved untenable, false or untrue. The present proposed action is the inevitable result of some total of these activities of mismanagement and the said management has never taken any sincere convincing action to put a stop to it but had all the way gone to openly display their intention to continue with the same old practice despite our sincere efforts to provide it all opportunities to normalise the situation.

18. The show cause notice under reference is perfectly justified and there is no reason whatsoever to withdraw it. This action is proposed only after examining the entire functioning of the said management and after arriving to the conclusion that the said management has failed to convince that it has any sincere intentions to improve their functioning in the interest of education.

#### WITH REFERENCE TO CHARGE 1

19. The charge that in April 1983, the management arbitrarily terminated services of five teachers has been denied by the management. This charge has been entirely correct, though this happened in March/April, 1985 and there was a typing error in the year as 1983 instead of 1985.

20. In March 1985, five teachers were arbitrarily terminated giving effect for such termination w.e.f. 27-4-85 stating in the termination letters that Goa, Daman & Diu Board has not given recognition to Std. Xth and hence there would be reduction of one Division in the year 1985-86. This was entirely arbitrary as in the first place reduction of mere one Division would not result in retrenchment of such a large number as five teachers and secondly the schools were prohibited by the Department to effect retrenchment without prior approval of Director of Education and in the instant case such an advance permission was never given.

21. The management was thoroughly aware that in the case of reduction in enrolment, it was absolutely necessary to consult the Department in advance to work out the admissible number of the teachers for the reduced establishment and then go for retrenchment for the excess staff by strictly going according to seniority. In the instant case the management neither consulted the Department to decide the would be surplus staff nor the retrenchment orders were issued according to the seniority.

22. Though the management has subsequently in the month of April the said termination orders had withdrawn the arbitrary action of the management had already caused sufficient harm by subjecting five teachers to mental torture. The management has also displayed their scant regard to adhere to the rules and regulations enforced by the Department of Education to avoid such actions on part of management and to avoid the consequently caused bitter relationships which was entirely harmful for the cause of Education.

23. This act of flouting the legal provisions is incorporated in the show cause notice to bring out the fact the said management has handled this serious matter so casually that it in fact deserved no leniency nor to continue to handle the management of an educational institution with such a scant regard to the employees and consequent harm to the institution.

24. Though this was one of the several grave acts resorted by the said management, displaying their mind to openly flout the legal provisions it is not insisted here for the simple reason that there was a typing error in the year of the incident, that inadvertently crept in the show cause notice at Annexure - I.

#### WITH REFERENCE TO CHARGE 2

25. The story re-told by the management in the paras from 2 to 21 does not incorporate the very important fact that the Writ Petition No. 127/88 by the management was not granted by the Hon'ble High Court. This narration minus above fact is the sufficient proof that this Department has shown maximum leniency to the said management by avoiding stern action at that stage.

26. As admitted by the said management, this charge was also incorporated in our earlier show cause notice dated 16-12-1987 and being dis-satisfied by their reply an order

dated 20-4-1988 to take over the management of the said school was issued by the Department of Education.

27. The said management, though challenged this order vide Writ Petition No. 127/88, the said Writ Petition was disposed off by the Hon'ble High Court on 11-2-1991 on the assurance of this Department for having intervened to normalise the situation in the said school and with instruction to the management to settle the grievances of the teachers as well as make provision of physical facilities in the school premises as required under Education Rules.

28. The Departmental intervention to normalise the situation in the said school cannot be ever mistaken that there was no such misappropriation which is a proven fact and the same is admitted now by the management in para 25.

29. Though this charge was not incorporated in the second show cause notice dated 10-8-1989, it is denied that it was dropped as Department of Education did not find any substance in it.

30. This matter of misappropriation was investigated into by Department of Education and the findings were communicated to the said management vide Departmental letter No. DE/Acad I/NEZ/PE/13/SDS/78-II/484, dated 7-2-1984, the partial contents of which are now incorporated by the management in para 25.

31. In the Departmental letter referred to in the preceding para, it was intimated in unambiguous words to the said management as below:

"The Department has enquired into the matter and has found that the allegations are true. Further your statement dated 1-2-1984 also corroborates the findings of the Department. Therefore it is established beyond doubt that amount meant for disbursement of salary of staff has been misused".

32. Since this charge is entirely based on admitted facts, its non-incorporation in any of our notices or even not taking any action for it, cannot amount to its non existence or non occurrence. The misappropriation was very much there and it was a serious irregularity on part of the said management, more so when it was the amount released by Department towards salary of the teachers.

33. This serious irregularity of the misappropriation forms again one of the series of irregular acts which the management has been committing with scant regard to the Rules to that effect or cause of education. They had also acted in the most unbecoming of irresponsibility by non payment to teachers for three months on account of this misappropriation.

34. The argument of the management that they are not responsible for the acts committed by the members is not at all accepted. The management constitutes of the members and their acts are certainly of the management. In the instant case, the entire management had silently approved the act of misappropriation committed by the member Mr. R. M. Sawant and the Committee as a whole, has never taken any action against the said member. The only appropriate action could be to expel the said member. The enticement management in fact with their inaction and silent approval encouraged the said member and with this active support the same manager/President of the Society continued to be at the helm of the affairs of the school for next few years till he was compelled to relinquish the charge to comply with the provisions of Education Rules 1986. The same person being also a teacher in the school, could very well be also charge sheeted for the said misappropriation. But the management did not do so and thus silently accorded unanimous approval and support for the said illegal act of misappropriation.

35. The argument of the management that this act was committed nine years ago, well before the enforcement of Education Act, 1986 and cannot form the basis of action under Section 20 of Education Act, is not acceptable.

36. In the first place, this charge is one of the series of irregular acts that the said management has been committing. The action proposed was not singularly for this act alone but for the precipitated irregularities for over years. In the second place the action is proposed to be taken now and hence is fully covered by the legal provisions in force at the time of proposed action.

37. The management's say that this matter stands closed with the warning that was given by the Director of Education is not accepted. The said warning does not exonerate

the management from the said charge but caution against their scant regard to the adherence of Rules of Department. However the management has shown no improvement and un-interruptedly continued to commit irregularities with change in subject matter only.

38. In para 25, the management has reproduced their earlier reply to this charge in our notice dated 16-12-1987. In this reply, the management has attempted to display the functioning of their tricky mind by saying that the teachers were not deprived salary of even a single day. In this defence, the management has attempted to divert the attention from the main point of the charge that by the said act of misappropriation, the teachers were deprived from getting their salary in time causing a delay of three months for which they had to face undue hardships though Department had released their salaries in time. The management had no right to misuse this amount for any other purpose but only for payment of said salaries. In fact the management is guilty on two fronts that it overlooked the instructions of the Department for timely disbursement of salaries to the teachers and that it misappropriated the said amount which it ought to have avoided.

#### WITH REFERENCE TO CHARGE 3

39. The contents of the paras 3 to 3k are same as those at para 2 to 2k and are mere repetition and hence rejected for the same reasons as are mentioned in this order for the respective paras under Charge 2.

40. The attempt of the management to transfer the blame to the managing committee in past by using the word "then" in para 3L is not accepted as Gomantak Education Society which runs the said Shri Durga English School is a body with continued existence and is accountable at all times for whatever acts of irregularities committed by its office bearers or sub-Committees by misusing the office of said Society.

41. The argument of the management that Department of Education would have not extended the grants without checking the documents is a cunning make up and not tenable as the fraud committed by the President Shri R. M. Sawant was in submission of a copy of resolution purported to have passed by the managing Committee of the Society though there was never a meeting nor such a resolution, the fact which surfaced at a late stage and admitted by the said management.

42. This incidence was enquired into in November, 1986 by Dy. Education Officer, Mapusa with advance intimation to the management and the other parties who had submitted seven complaints. Mr. R. M. Sawant could not and did not produce the records of the minutes of any meeting showing the resolution purported to have passed by the managing Committee of the Society.

43. The said Gomantak Education Society has never taken any action against Shri Sawant when this matter surfaced in 1986 and thus by their inaction and calculated silence they have approved the action of Mr. Sawant. This highlights the functioning of the said Society and its credibility.

44. The management has also not now submitted as to whether it had taken any action against Mr. R. M. Sawant for the fraud committed by him to obtain building loan from Department of Education.

45. This charge is one the number of grave irregularities in which the management has been indulging and proves that the management has scant regards to the moral and legal aspects involved in the act.

46. The say of the management that action cannot be taken now for the fraud taken place long ago is not at all acceptable as the said charge forms one of those several serious illegal acts on part of the management for last several years and forms now a sufficient evidence that the management has been practising such irregular acts for over some years.

47. The failure of the management to produce any record or documentary evidence to prove that there was a genuine resolution as referred in the said charge is all speaking about their admission of the said charge.

#### WITH REFERENCE TO CHARGE 4

48. The contents of the para 4 to 4k are mere irrelevant repetition as in case of charge 2 & 3 and are not accepted for the same reasons as given for respective cases.

49. The management in para 4L admits that it has constituted the management for the first time on 11-5-1989 as per Education Rules. This admission itself speaks much about the management which prolonged the matter for over undue period and gave full scope to Mr. R. A. Sawant who simultaneously functioned as President of Society, and teacher in the school and also exercised the powers which only manager could exercise as per Education Rules 1986.

50. The non-constitution of the management immediately on implementation of the Education Rules 1986, was an act committed by the managing Committee with full knowledge to allow Mr. R. M. Sawant to continue to exercise the financial powers which ought to have exercised by Manager only as per the Education Rules. Since as per the said Rules, Mr. R. M. Sawant who was also a teacher in the school could have not functioned as Manager, the managing Committee, delayed the constitution of the management overlooking the provisions of Rule 46 of Education Rule 1986 and this irregularity is covered by advancing untenable argument that Mr. Sawant functioned as President of the Society and not as Manager. When the management was supposed to constitute the management as per the provisions cited above, there was no reason whatsoever for the management to allow Mr. R. M. Sawant to allow to discharge duties of Manager under new scheme. Hence the arguments of the management defending their action are rejected.

51. In fact this irregularity was pointed out to the management vide our letter No. DE/Acad. I/NEZ/PE/13/SDES/778/Vol. III/2086, dt. 5-8-1987. This letter was sent by Registered A. D. and was received by said Shri R. M. Sawant on 18-8-1987. The said letter was addressed to the Manager and if the contention of the management that Mr. Sawant was functioning only as President of the Society then he had no reason to accept the said letter which was addressed to the Manager and not to the President of the Society.

52. The say of the management that Mr. R. M. Sawant exercised powers of manager pending approval of the Department is not at all accepted as the non receipt of the communication of the approval did not bar in whatsoever manner, the functioning of new Committee. This is very clear and admitted by the management that the bills rejected on account of the signature of Mr. Sawant were thereafter promptly accepted with signature of the manager though there was no communication of approval from Department which has accepted all ad hoc arrangements so that no school shall suffer for the reason of delay in communicating the approval.

53. It is also exposing the total mind of the management that despite of the acts of commission as in the Charge 2 and 3, the Society controlling the affairs of the school under reference installed said Mr. Sawant in the highest seat as Chairman of Society as admitted in para 4. This act alone is a clear indication that the entire body approved his all acts of mismanagement and hence the action now proposed is entirely justified.

54. The management has now clearly admitted that Mr. R. M. Sawant who was teacher in the said school and who was for that reason prohibited by Rules to discharge functions of Manager has been discharging the duties, under one or other untenable pretext till the bills signed by him were not accepted by the Zonal Officer and this act alone compelled the management to appoint another manager, whose signature was immediately accepted by the Department and the non-communication of approval by the Department did not come in any way for the new manager to function in his office and this fact alone blows the fictitious arguments made by management offering weak and illogical justification for Mr. Sawant to discharge the duties which ought to have discharged by manager only. The entire justification offered by the manager is failing on this count and is not accepted.

55. The argument of the management that the school management is not responsible for the acts of the Committee members is not at all acceptable as the management of the school and the managing Society cannot be separated for the accountability of the affairs of the school. Both are supplementary to each other and both are answerable for the mismanagement noticed by the Department of Education. Both are also equally responsible to maintain credibility without any blemish.

#### WITH REFERENCE TO CHARGE 5

56. The say of the management that they have not committed an act of flouting legal provisions in termination of the services of teachers in June 1989 is not accepted.

57. The argument that the Chairman of the managing Committee merely served termination notices on three teachers is rejected for the reasons that the last sentence in all the three letters dated 12-5-89 submitted by the management at Exhibit-I reads as below:

"In view of above circumstances your services in the school shall stand terminated from 15th June 1989."

This sentence explicitly terminates the services of the said teachers without prior approval from Department of Education and hence these letters assume the status of termination orders which were issued without prior approval of Department of Education. The date of the effect of the said orders was clearly indicated and it was not conditioned for approval by Department of Education.

58. The argument that the management had submitted the said termination proposals to the Department of Education for approval is not justifying their advance action of issuing termination letters without obtaining the clearance from the Department of Education and their said action is none the less than their scant regard to observe legal provisions to this effect.

59. The arbitrary and irresponsible action of the management to terminate the services of said teacher had to be arrested by sending a telegram to the management to maintain status quo and also with a subsequent order dated 27-7-1989 rejecting all the three proposals.

60. Now the management has cunningly argued that they have immediately sent the copies of said telegram to the said teachers and also informed the teachers about the order dated 27-7-89 from the Department of Education. The management has also attached the copies of their said letters at Exhibit-IV and V. But this act of the management does not exonerate them from their irresponsible act of issuing termination orders to the teachers.

61. The letters at Exhibit IV and V are cunningly worded to communicate decision of Department of Education but do not mention the withdrawal of the said termination orders. Had there been sincerity of purpose, the said management would have withdrawn the said orders with explicit mention of the same.

62. Aggrieved by the said termination orders, two teachers viz. Mrs. S. P. Bhoje and Shri N. S. Chodankar had filed Education appeals with No. 1/89 and 2/89 in the Hon'ble Court of Administrative Tribunal. The Hon'ble Court, disposed of both the appeals with a common order on 25-11-91. The order passed by the Hon'ble Court is as follows:

#### ORDER

"Both the appeals are allowed. The impugned orders both dt. 12-5-1989 terminating the services of the Appellants are hereby set aside. The Appellants shall therefore continue in their services."

The Hon'ble Court of Administrative Tribunal has clearly termed the said letters dated 12-5-89 as "Orders terminating the services". Hence the argument of the management that said orders were mere termination notices is untenable and a futile attempt to distort the fact.

63. The said management, apart from flouting the legal provisions to that effect, in its efforts to hoodwink the Department of Education, treated this serious matter so casually that it deserves no leniency in whatsoever way. This deliberate action which dragged the teachers in unnecessary legal action has caused irreparable damage to the educational cause severing the relations. This act on part of the management is the clear example of their reluctance to improve over this irregularity committed in March-April 1985. This act is also a clear indication of the vindictive mind of the management towards the chosen teachers.

64. The argument of the management that these teachers were not kept out of the school for over twenty months by the management but they themselves did not attend the school is not at all acceptable. It is clear that the management had not withdrawn the termination notices. The management had also not built up a case thereby proving beyond doubts that the said teachers did not attend the duties. On the contrary the act of the management speaks of their mind to make attempts to keep the teachers out of their services.

65. The management had never come out with any concrete case proving thereby that the said teachers denied



to attend the school. On the contrary the said seven teachers had not only represented to the Department about the preventing tactics of the management but also suffered physical assaults in the school premises in the hands of the teachers who are also the members of the management or members of the said society and the said Society has never cared to conduct any enquiry against the alleged involvement of the said teachers in the assaults of the chosers group of the seven teachers. Thus the management with their silent approval and encouragement to create the tension and terror in the premises of the school, carefully planned to see that the said teachers are continuously harassed and prevented from joining to duties. Thus the management has promoted most unhealthy situation in the school premises causing irreparable harm to the cause of education.

66. The management even after refusal for approval from the Department of Education did not withdraw the termination orders. The management has not produced any evidence on record or documentary evidence such as withdrawal orders with due acknowledgement of teachers for the receipt.

67. The management has neither now nor in past made any case with documentary and material evidence that the said teachers volunteered to be out of school for about twenty months. On the contrary the management overlooked all their complaints of physical assault by another group of teachers comprising teachers who are among the limited number of members of the said managing Society and sometimes office bearers of the Society or management.

68. This is again a case in the series of cases of irregularities in which the management is indulging time and again.

#### WITH REFERENCE TO CHARGE 6

69. The management had admitted that the Headmaster was suspended by them on four occasions.

70. The management has concealed the fact that they issued the suspension orders and gave effect to said orders immediately thereafter sought approval of Department of Education for said suspension orders though they had full knowledge that the suspension of any teacher cannot be given effect without prior approval of the Department of Education.

71. The management repeated this irregularity on four occasions and does not deserve any leniency as the repeated act is clear indication of the management that it is bent upon to flout the legal provisions to this effect.

72. The decision of the Department of Education to refuse the approval to the said suspension on third time was challenged by the management under Writ Petition No. 118/89 in the Hon'ble High Court. In this Writ Petition the management had attempted to establish the need of action of suspension but never made out any legal provision allowing it to give effect to such suspension orders without prior approval of the Department of Education.

73. The frequent unjustifiable suspensions and the action of giving effect to the same without prior approval of the Department of Education is again a clear indicator of the attitude adopted by the management to pay scant attention to the legal provision to that effect and thus has acted in the manner causing harm to the cause of Education and promoting disharmony in the school detrimental to the basic functions in the school.

74. While giving elaborate irrelevant details in para 6C to 6S, the management has conveniently avoided to come out to disclose that in the Writ Petition No. 118/89, the Hon'ble High Court rejected to grant stay on the action of refusal by the Department of Education to approve suspension of the Headmaster.

75. The management, which had this setback on 5-4-1989, did not attempt to correct their action but when the said Headmaster reported to duties on 7-4-1989, he was physically prevented to discharge his duties and a complaint was filed in the Pernem Police Station to arrest him. A fresh suspension order was also issued on the same day and thus the management has resorted all tactics, to again push themselves against the disapproval of the Hon'ble High Court as well as Department of Education.

76. The management has not come out making their case that they have withdrawn the said illegal suspension orders.

They have not submitted any documents to this effect with acknowledgement of the Headmaster.

77. The said Headmaster was by this act of indiscriminate suspensions, forced to file a Writ Petition with No. 274/90 in the Hon'ble High Court. The Hon'ble High Court granted the interim relief and finally disposed it off on 11-2-91 with specific directives to the management in para 3, 4 & 7 in the order, restoring the office of Headmaster.

78. The say of the management that the said Headmaster had to be chargesheeted for constant breach of code of conduct is entirely untenable for the simple reason that the said management till this day has not approached the Department of Education with their any final investigation report into any of the charges against the said Headmaster.

79. The say of the management that they had revoked the suspension orders is not acceptable as they had neither produced in documentary evidence now nor in past of any such revoking or order issued by them nor has produced any evidence of acknowledgement by the said Headmaster about the receipt of any such order of revocation of the suspension. The management who have carefully stated that the Headmaster was not acknowledging the receipt of the letter if delivered by hand, cannot be accepted as it was open for the management to send the correspondence by Registered A. D. Post so that there could be concrete evidence of either acceptance or rejection by the said Headmaster. Had there been any sincerity of purpose, the management which often sought to resort litigations, could very well adopt the postal delivery method as above, so that their say could be beyond any doubts. It is pertinent that the management has done so while delivering the chargesheet and conveniently now pleaded innocent that had delivery of suspension revocation orders were not acknowledged by the Headmaster. It is also important that the Headmaster had not rejected any of their notices, suspension orders or memos sent to him through hand delivery.

80. It is appreciated that the management has admitted in para 6L that Government had to appoint enquiry Officer to settle the matters in the school. This admission is though contradicting the earlier pleading of having no knowledge of any complaints or any enquiry, it is the admission by the management that it was all wrong in the school on all fronts.

81. The contention of the management that the show cause notice dated 10-8-89 which included this charge was not pursued by Government as it was satisfied by their reply is not correct. The non-pursuation of the matter does not amount to non-existence of the charge. The irregularity committed by the management continues to be at its credit forever and action was not taken for the simple reason of providing maximum opportunity to the management to improve over their own acts of omissions and commissions.

82. The amicable settlement referred by the management was the action to put stop to the mismanagement by the management with the intervention of Department of Education by appointing a Special Officer. But the management did not ensure to last the said settlement for not beyond a few months and relapsed into its old practice, thereby the said settlement was set to winds by the management itself.

#### WITH REFERENCE TO CHARGE 7

83. The say of the management that this charge is vague and is not accepted as the charge clearly mentions that some teachers who were also office bearers had assaulted some other teachers in the school premises. The number involved is specific and the assaultees are distinctly verifiable. It is not the case of the management that it did not ever happen.

84. The queries of the management about the mention of the names of the teachers, days of assault and whether the assaults were during working hours or outside working hours are absolutely irrelevant as neither the teachers are allowed to indulge in such activities nor the management is permitted to overlook it and cause to pollute the relationship that necessarily need to be maintained in the premises of an educational institution. The management by raising unnecessary and irrelevant queries attempts to evade the crux of the problem and also to divert attention from the main problem of its failure to investigate and take prompt action against the guilty teachers. The most important factor is that the teachers who assaulted the other teachers are the members of the Society/Management and this fact altogether changes the colour of the entire incident raising the very important query that the entire management had

planned this attack to create terror in the premises of the school and this contention is supported by the charge at No. 10. The inaction of the management supports this conclusion that the guilty teachers were under full cover of the management.

85. The management while denying under para 7K, that none of the teacher is office bearer of the same again cunningly evades the main point referring the matter to current times. But by this act it admits that when the incidents referred to took place, the teachers who assaulted others were the members of the managing Society.

86. The management's say that the teacher under assault could file the Police complaint is also rejected. This is a cunning stand taken by the management as it is very well aware that the targetted group of the teachers were made to live under terror created by the management which deliberately and with full knowledge overlooked each and every complaint filed by the said teachers. The management has not offered any defence as to why it failed to take prompt cognisance of these incidents and take action against the guilty teachers belonging to the Society.

87. The allegation as to what was the action taken by the management in the matter of enquiry of the incidences of assaults and why it did not chargesheet the assaulting teachers with the same promptness with which it has initiated action against the targetted teachers.

88. The management was informed by the targetted teachers on 23-2-89 in a joint representation that B. G. Gawandi who is a teacher and also member and Secretary of managing Society, assaulted another teacher Mr. Y. G. Naik on 18-2-89 in the staff room. On the same day, Shri B. G. Gawandi, Mr. R. M. Sawant and Shri Nilkant Shetye freely huddled abuses in the school premises. All the three were also office bearers of the said society. What all that the said management had done in this case that they wrote letter to the Headmaster on 28-2-89 in Marathi, the translation of the contents would be on the lines as below:

"Through this letter, you are informed that as demanded by some teachers, police protection is requested for and accordingly Police have arrived. Accordingly the concerned teachers should be informed immediately."

These contents do not refer as to which teachers had asked for Police protection and whom the message was to be given. The management had cunningly side tracked the main issue of the assault and the guilties are left scot free without any action.

89. This incidence has caused considerable commotion both among students and the public resulting into a boycott of the classes by teachers and also by students. The Police were required to be called in the premises. The Departmental Officer was required to visit the said school on 7-3-89 and the management was called to meet the Departmental Officer on 21-3-89.

90. There was again repetition of assault on teacher on 27-2-1989. Shri Nilkant N. Shetye assaulted the Headmaster who was rescued by the students of St. VIII B. This Mr. Shetye was involved in the incidence of huddling abuses on the Headmaster on 18-2-89. Shri Shetye who is working as a clerk in the office is also one of the limited number of the managing Society.

91. In both the cases there was no action by the management against any of the accused teachers. On the contrary, the management very cunningly submitted a proposal to Department of Education on 23-3-89 to suspend Shri Y. G. Naik the teacher who was assaulted on 18-2-89 on the pretext that Mr. Y. G. Naik was instigating the students in the classroom when the passerby Mr. R. M. Sawant, the manager-cum-teacher involved in the abuse huddling case on 18-2-89, heard the remarks by Mr. Y. G. Naik. This action again displays the mind of the Society that they were bent upon to manage to harass the said chosen teachers.

92. The management which was so prompt to propose action against Shri Y. G. Naik, had suspiciously failed to take action against those members of the managing Society who were also teachers/employees in the school and who assaulted Mr. Y. G. Naik. This alone is sufficient proof that the said management has been managing the affairs of the school in the manner harmful to the public interest and the cause of education by silently encouraging assaults on the targetted group of teachers.

93. The management again failed to take any action against Mr. M. N. Shetye, the L. D. C. and also office bearer of the Society for his attack on the Headmaster on 27-2-89.

94. In past there was a murderous attack on the Headmaster of the school on way to his school in the early hours of the morning on 9-7-87 and it was condemned in several public meetings held in Pernem including a public meeting convened by the Heads of all Secondary schools in Pernem on 12-7-1989. It was publicly alleged that the management of the said school was involved in this attack. The management, had there been any sincerity of purpose, ought to have followed this matter through proper authorities to come out in public, clear beyond doubt and establish their credibility. The management did not do so.

95. Since the Headmaster is the employee of the said school, it is but natural to expect the management to pursue the matter with the Police authorities to book the culprits who had assaulted the said Headmaster. This type of action would have cleaned the clouds around the management and their sincerity of managing co-ordial relations with the employees would stand established. But the management did not do so and conspicuously preferred to be silent and inactive on this matter.

96. Shri Balkrishna Canolkar, another teacher of the school was in past assaulted on 14-7-88 by Shri B. G. Gawandi and the physical education teacher Shri Gurav alongwith Shri H. G. Gawandi who is the current manager for the school. Shri Canolkar was admitted in the Primary Health Centre on the same day for the injuries on his neck, chest and head. The management had taken no action in the matter.

97. The management's denial to have obtained any complaint is rejected as the concerned teachers had filed the complaint with the management. Apart from that in the educational institution the management cannot plead stating that they had not taken any action as there was no complaint. The institution is established in the public interest and it is enjoined upon the management to take prompt action on each known harmful incidence so that there is no harm caused to the public interest.

98. The management has failed to make their case as to how this charge does not come within the perview of Rule 148, 149 and 152 of Education Rules 1986.

99. The charge at Sr. No. 7 stands established as the management has failed to make a case that it had taken action against the teachers involved in the case of assaulting other teachers in the school.

#### WITH REFERENCE TO CHARGE 8

100. It is admitted by the management that they have instituted enquiry against five teachers and also that the enquiry proceedings were fixed to take place at Mapusa.

101. The management's say that the said proceedings were to take place at Mapusa for convenience of enquiry Officer, is not acceptable justification for their act has caused the teachers to undertake journeys to Mapusa for over a year. Moreover the management had to ensure that this would not cause undue hardships to the teachers and their expenses for their journeys, paid promptly.

102. The management's say that the teachers did not raise objection for the said place of enquiry is not accepted as the teachers did take objection in a submission dated 21-7-89 sent to the Chairman of the school by Registered letter No. 1860 by Shri P. P. Kamat. The last para of the said letter reads as below:

"I further request you to arrange to conduct the enquiry in the school as most of the witnesses are school teachers and students and ....."

The management have not acceded to this request.

103. The say of the management that the venue of the enquiry was shifted to Parsem in May '91 is a cunning act as they have already made the teachers to undertake journeys to Mapusa for over one year and eight months. Besides there was no more case of any enquiry after settlement of 5-11-90 which the management claims at their advantage of closing down enquiries into past irregularities committed by the said management.

104. The claim of the management that the charge does not include detailed dates of the journeys undertaken by the

teachers is untenable and cannot form basis to reject the charge as the enquiry Officer vide his letters dated 3-5-90 and 7-6-90 has communicated the said facts to the office of Department and the Management, which submitted their enquiry vide their letter dated 30-6-90 about the legal provisions under which the said teachers were to be paid T.A. & D.A. by the management for their said journeys, was fully aware of said journeys. The cunning query about legal provisions was an act to cover their act of avengeful attitude towards the said teachers who were made to undertake the said journeys. In fact it was for the management to seek advice of the Department well in advance, before asking the teachers to undertake the said journeys.

105. The charge at Sr. No. 8 stands fully established as the management has failed to produce any evidence that they did not make the said teachers to undertake said journeys nor they have produced any evidence that the said teachers were compensated for their expenditure which they have incurred for the said journeys for about 50 to 60 times as informed by the enquiry Officer.

106. The claim of the management that there is no evidence or documents relied upon, is a totally false statement as the charge is based on their own papers/correspondence on this matter with which the management is fully convergent.

107. The denial of the management that the said act was committed with ulterior motive to make the teachers to suffer physically, mentally and monitorily is not accepted as the management has not brought on record anything showing that the teachers had shown willingness for this arrangement.

#### WITH REFERENCE TO CHARGE 9

108. This charge fully stands established as the management has admitted to have issued the memorandum directing the chosen teachers to be present in the school premises during summer vacation of 1991.

109. The order in question did not inform the specific period fixed for enquiry of each of the teachers but asked all the teachers to be present in the school, overlooking the fact that the presence of the teachers excluding the one against whom enquiry could be undertaken at a time would be unnecessary. This cannot be considered as unintentional lapse. Any management with sincere intentions of sincere inquiry would definitely plan such enquiry so as not to cause any unnecessary hardship to him or her. This is more so when the outcome of the enquiry is yet to come.

110. It is very pertinent that the management had also an option open to arrange the enquiry during school days but after or before school hours and complete it within minimum time. The management have made a case as to whether they had made any efforts to do so.

111. The teachers who are vacation staff are entitled for pro-rata earned leave if they attend school duties during the vacation. In the instant case the presence was not to attend work which can be included within the term "duties in the school" and the teachers were subjected to loose both their vacation as well as the earned leave.

112. The management has not made any case that this time was chosen in consultation with the teachers and their say that it was done for convenience of teachers is a totally cunning statement.

113. The management has not brought on record that the said arrangement was made in consultation with the said teachers.

114. The management has not brought on record that this issue was still open after 5-11-1990, the crucial day on which the Officer of this Department visited the school and with the meeting of teachers and the members of management, tried to put a stop to the unhealthy activities and tactics resorted to by the management so that the school can function very smoothly.

115. The management has indulged in this act within six months from the crucial date of 5-11-90 on which the Departmental Officer made efforts to normalise the situation in the school. The management which always managed to mention this settlement in their defence of not opening the old cases of irregularity, has conveniently overlooked it in this matter and has never hesitated to continue with their original practice of harassing the teachers. The management has not made any case that it had discontinued the said practice nor

it had made any case that the said teachers were no way put to hardships.

116. Thus the charge at Sr. No. 9 fully stands established.

#### WITH REFERENCE TO CHARGE 10

117. The management vide para 10E denied that any office bearer of the Society arrested in the kidnap case of Shri Anil Gad but thereafter in para 10G contradicted by admitting that Shri Ramnath Sawant, the teacher and Shri Prabhakar Goltekar, the then Chairman were arrested by the Police in the said case.

118. The management has not produced any statement or valid documentary evidence that Mr. Anil Gad has desired the involvement of Mr. Prabhakar Goltekar, then Chairman of the said Gomantak Education Society, in the case of his sudden disappearance.

119. The say of the management that this charge is framed to harm the reputation of the management and tarnish its image is not accepted as the management has failed to bring on record that its chairman at this time was not involved in the said case.

120. The management has not made any case that it has instituted a detailed inquiry into the allegations made in the section of the press from 23-12-91 to 20-1-92 in order to bring out the facts.

121. The management has not made any case that the arrested teacher and the then President of the said Society are exonerated of the charge of their involvement in the disappearance case of Mr. Anil Gad.

122. The management has not come out with any explanation, action or any other means deemed suitable to clear its image from the suspected involvement in kidnap case which is directly related to the school.

123. The say of the management that Government is trying to build a wall between the management and the seven teachers who have been target of harassment, is not at all correct. On the contrary it is the management who had overlooked serious allegations against one group of teachers and have been on look out against the other group of teachers to harass them by way of issuing indiscriminate suspension orders, termination orders etc., have built the said wall among the teachers throwing public interest and the cause of education, all to the winds and have never indicated even remotely to improve over their attitude to allow the school to function with desirable smoothness.

124. The statement of the management that there are no complaints of the sad teachers against the management after the settlement of 5-11-90 is totally false. The management has attempted to conceal the fact that there were a scores of complaints from the said teacher about their seniority, pay, payment of increased HRA, transfer of C.P.F. amount in the new P. F. Account, cases of supersession, pay fixation etc., and the management was indulging in the tactics of passing the blame to the Headmaster though he was made defunct by the management by actively encouraging insubordination in the office.

125. Thus after detailed parawise study the Government have noted that:

- a) The management did not arrange to collect the copies of the papers it needed though all the charges are framed entirely on the documents in the hands of the management which had attached many of the said documents to the reply submitted by them.
- b) The management has failed to bring on record anything in support of their denial of said charges.
- c) The only charge viz. at Sr. No. 1, is though substantially maintainable, it is not insisted upon due to the typing error in the year of the incidence.
- d) All the charges form a part of a series of acts of mismanagement of the school detrimental to the cause of education.
- e) The management has not made a case that any of these charges/acts were not prevented by any legal provisions existing in the year of committing the said acts.

Now after detailed examination of the reply submitted by the said management, as above, the Government is convinced of the circumstances which call for immediate taking over

of the management of the said Shri Durga English High School, Parsem by invoking the provisions of Sub-Section (1) of Section 20 of Goa, Daman & Diu School Education Act 1984.

Therefore, in accordance to the provisions of said Sub-Section (1) of Section 20 of Goa, Daman & Diu School Education Act 1984, Government have ordered to take over of the management of Shri Durga English High School, Parsem with immediate effect for a period of three years in the first instance and for which purpose Miss Neela G. Kerkar, Deputy Education Officer, North Education Zone, Mapusa is hereby appointed as Authorised Officer on behalf of the Director of Education, Government of Goa. Miss Neela G. Kerkar shall discharge her duties as per the provision of Goa, Daman & Diu Education Act 1984 and Rules made thereunder and as per the instructions issued to her by the Directorate of Education from time to time. Among other things the Authorised Officer shall:

1. exercise full control over administration, financial and academic matters of the school and see that all the employees of the school shall be punctual in attendance and prompt in discharge of the duties entrusted to them by general or special orders as deemed fit.
2. be responsible for maintaining strict discipline on the part of all the employees including the Headmaster and students of the school.
3. be responsible to see that all the employees of the school including the Headmaster are present in the school during office hours as prescribed by the Authorised Officer and no employee including the Headmaster shall be allowed to leave the premises of the school without prior written permission of the Authorised Officer and also representations, if any, shall be routed through the Authorised Officer.
4. be responsible to visit the school as frequently as possible so as to ascertain that the school functions at right time and all the employees of the school including the Headmaster discharge their duties sincerely, honestly and efficiently to the satisfaction of the public and the Department.
5. in case any of the employee, including the Headmaster act in contravention of the instructions of the Authorised Officer or if there is any act of indiscipline or insubordination or flouting of the instructions issued by the Authorised Officer, such cases shall be dealt with as per the provision of Goa, Daman & Diu School Education Act, 1984 and the Rules, made thereunder.

The Government is also please to order that:

- (i) The management of Gomantak Education Society, Parsem shall hand over the charge of the said school i.e. Shri Durga English High School, Parsem, Pernem, run by the said management immediately to the Authorised Officer. Their attention is drawn also to the provision of Section 23 of Goa, Daman & Diu School Education Act, 1984.
- (ii) The School staff account fund and the Pupil's fund shall be made available to the Authorised Officer for being spent for the purpose in respect of the school and that;
- (iii) The Authorised Officer shall have the right, to open any account in any Bank or draw money from any fund referred to in Section 10 of Education Act, 1984. No person incharge of the management of the school at any time before the date on which the management of the school is taken over under Sub-Section (1) shall have such right.

By order and in the name of the Governor of Goa.

P. V. Salelkar, Director of Education Ex-Officio and Additional Secretary to Govt. of Goa.

Panaji, 7th May, 1992.

# ANNEXURE — I

## MEMORANDUM

No. DE/Acad. I/NEZ. PE/13/SDS/380/B/  
/78-79/468/Vol. IX/434

Government of Goa,  
Directorate of Education,  
Panaji-Goa.  
Dt. 21-2-92.

Whereas the Directorate of Education has been receiving a number of complaints from the public and the teachers of Shri Durga English School, Parsem, Pernem for over last several years about the mismanagement of the said school and;

Whereas enquiries into the allegation against the Management of said High School were conducted by this Directorate from time to time and;

Whereas Government after examining this matter upto date, have arrived to the conclusion that the Management of the said school has been continuously indulging in such acts of irregularities which are detrimental to the cause of education and some of which are as below:-

1) In April 1983, the Management of said school arbitrarily terminated services of five teachers in contravention of the provision of Grant-in-Aid code which was then in force.

2) In June 1983, the Manager of the School who received a cheque issued from this Department towards salary grants of teachers encashed the same and utilised the said amount for private purpose depriving the teachers of their salary for three months and thus besides attracting the provision of sub-section (1) (iii) of Section 20 of Goa, Daman and Diu School Education Act 1984, committed an act of misappropriation with full knowledge of the same.

3) The Manager of the School had obtained building grant and Plan from Government for constructing the school building by fabricating documents and record and thus committed an act prejudicial to the public interest in violation of provision of Sub-Section (1) (iii) of Section 20 of the Goa, Daman and Diu School Education Act 1984.

4) Shri R. M. Sawant who is an Asstt. teacher in the same school continued to function as Manager of the said school for a considerable period by flouting the provision of Sub-Rule (j) of Rule 46 of Goa, Daman and Diu School Education Rules 1986 and thereby attracted provision of Sub-Section 1(i) of Section 20 of Goa, Daman and Diu School Education Act 1984.

5) The management arbitrarily terminated services of three Assistant teachers in June 1989 by flouting all the legal provisions to that effect and though their said terminations were not approved by this Department, the Management kept the said teacher out of the school for about twenty months thereby committing an act of managing the affairs of the school in a manner prejudicial to the public interest attracting the provision of Sub-Section (1) (iv) of Section 20 of Goa, Daman and Diu School Education Act 1984.

6) The Management suspended the Headmaster for four times viz. on 25-4-87, 13-9-88, 2-3-89 and 7-4-89 giving effect to the said suspension orders immediately without prior approval of Director of Education as required under Sub-Section (3) of Section 11 of Goa, Daman and Diu School Education Act 1984. Though Department of Education has rejected the requests for post-facto approval for said suspensions as none of these cases merited any consideration the said management did not revoke the said suspension orders and continued to enforce the same attraction thereby the provision of Sub-Section (1) (i) of Section 20 of Goa, Daman and Diu School Education Act 1984.

7) There were atleast two Instances in which some teachers of said school who were also office bearers/members of said Society physically assaulted other teachers and the said management did not take any action against the said teachers to prevent such instances in the school and thus with their inaction caused to develop a feeling of silent approval for promoting congenial relations in the factions of teachers, thereby



attracted the provision of Rule 148, 149 and 152 of Goa, Daman and Diu School Education Rules 1986.

8) The management instituted an enquiry against a section of teachers and caused them to undertake tours to Mapusa for about 50 to 60 times under the pretext of conducting the said enquiry. Thus the said management by their said act caused the said teachers tremendous physical exhaustion and financial loss, with full knowledge of the same, and by this deliberate act, the said management promoted their avengeful action against the said teachers which caused to devastate the entire harmony in the school premises causing thereby irreparable damage to the cause of Education which act attracts the provision of Rule 149 of Goa, Daman and Diu School Education Rules 1986.

9) Though, the Directorate of Education by deputing an Officer on 5-11-90 interviewed and instructed the management to maintain harmonious relationship in the school in the interest of the Education, the said management relapsed into its old practice immediately within six months, by issuing an arbitrary order to five of the same teachers asking them to attend the school office daily at 9.30 a.m. from 6th May 1991 to attend disciplinary proceedings/enquiry. This action, without any chargesheet, advance notice etc., aimed only to deprive of the vacation to the said teachers and was clear indication that the said management was determined to continue with their avengeful action which was detrimental to the desired harmony in the school premises and had there been any sincerity of purpose, the said management could detail its action on the lines laid down under the Goa, Daman and Diu School Education Rules 1986 to that effect. Thus said deliberate act on part of management not only indicates its scant regard to the Rules laid down by Government but also is a clear indication that it has no intervention to normalise the situation in the interest of education, thereby attracting provisions of Rule 148, 149 and 152 of Goa, Daman and Diu School Education Rules 1986.

10) In a so called kidnap case of one Mr. Anil Gad, Laboratory Assistant in the same School, in the month of December 1991, the said Management has been in the focus of severe criticism in the local press for their involvement in the cooking of said case to implicate the chosen group of the teachers which has been their target of harassment for over last several years. The office bearers of the said society were arrested in this case by concerned police authorities and cases against them are booked in the appropriate court of Law. With this suspected involvement of the said Management in the cooking of said kidnap case, the said Management has failed to maintain the minimum credibility to assure its ability to manage the affairs of the said school to meet desirable public interest and thus it has attracted the provision of Sub-Section (1) (iv) of Section 20 of Goa, Daman and Diu School Education Act 1984.

And therefore, now the Government has no other alternative but to invoke the provision of Section 20 of Goa, Daman and Diu School Education Act 1984 and to take over the Management of the school for a period of three years for the first instance and therefore the Management of Shri Durga English High School, Parsem, Pernem managed by Gomantak Education Society, Parsem, Pernem is hereby called upon to show cause within ten days of the receipt of this memorandum as to why the Management of the School should not be taken over by the Government for a period of three years for the first instance, in terms of the section 20 of Goa, Daman and Diu School Education Act 1984.

The said Management shall also note that if a reply to this notice is not received by this office, by the due date as stipulated above, it will be presumed that the said Management has no say in this matter and further action as proposed above will be taken.

By order and in the name of Governor of Goa.

P. V. Salelkar, Director of Education Ex-Officio and Additional Secretary to Govt. of Goa.

## Department of Cooperation

### Office of the Asstt. Registrar of Cooperative Societies

#### Notification

No. 5-476-1992/ARSZ/Credit

In exercise of the powers vested in me under Section-9 of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, the Quepem Urban Coop. Credit Society Ltd., Quepem-Goa is registered under code symbol No. 8-RES-(a)-59/South Goa/92.

M. A. Desai, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 7th August, 1992.

#### Certificate of Registration

The Quepem Urban Coop. Credit Society Ltd., Quepem-Goa has been registered on 7-8-1992 and it bears registration code symbol No. 8-RES-(a)-59/South Goa/92 and it is classified as 'Resource Society' under Sub-classification (a) of clause-9 in terms of Rule-9 of the Cooperative Societies Rules, 1962 for the State of Goa.

M. A. Desai, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 7th August, 1992.

#### Notification

No. 5-477-1992/ARSZ/Cons

In exercise of the powers vested in me under Section-9 of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, the Fatima Consumers Cooperative Society Ltd., Davorlim-Dicarpale-Salcete-Goa is registered under code symbol No. CON-24/South Goa/92.

M. A. Desai, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 24th September, 1992.

#### Certificate of Registration

The Fatima Consumers Cooperative Society Ltd., Davorlim-Dicarpale, Salcete-Goa has been registered on 24-9-1992 and it bears registration code symbol No. CON-24/South Goa/92 and it is classified as 'Consumers Society' in terms of Rule-9 of the Cooperative Societies Rules, 1962 for the State of Goa.

M. A. Desai, Asstt. Registrar of Coop. Societies (South Zone).

Margao, 24th September, 1992.

## Revenue Department

### Office of the Collector, South Goa District

#### Civil Administration Branch

#### Order

No. 52-8-87-CAB(Part)

Read: — 1) Order No. 52-8-87-CAB(Part) dated 13th May, 1992.

2) Govt. letter No. 20/1/89-RD(Part-VIII) dated 16-3-1993.

Shri Ferdinando Socorro Esteves is hereby appointed as Attorney substitute of the Managing Committee of Comunidade of Raia, Salcete-Goa for the triennium 1992-94 in place of Shri Antonio Joao Romaldo Pereira, whose resignation has been accepted by the Government by granting exemption to him in terms of article 69 of the Code of Comunidades.

A. Venkataratnam, Collector & D. C. A.

Margao, 8th April, 1993.